PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA No. 18-1187

Report No. TEL-01935 **Wednesday November 21, 2018**

International Authorizations Granted

Section 214 Applications (47 C.F.R. §§ 63.18, 63.24); Section 310(b) Petitions (47 C.F.R. § 1.5000)

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see 47 CFR § 1.4(b)(2)).

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

AST Telecom, LLC d/b/a Bluesky (AST) and Amalgamated Telecom Holdings Limited (ATH) (together, AST/ATH or Petitioners) have jointly filed a petition for declaratory ruling (Petition) pursuant to section 1.5000(a)(1) of the Commission's rules, 47 CFR § 1.5000(a)(1), that ATH's proposed 100 percent investment in AST through a newly formed, wholly-owned U.S. subsidiary of ATH is consistent with the public interest under section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 310(b)(4). AST is a Delaware limited liability company headquartered in Pago Pago, American Samoa. AST/ATH filed the Petition in connection with applications for consent to transfer control of licenses and authorizations held by AST and affiliated entities from Amper, S.A., a Spanish publicly traded holding company, to ATH, including common carrier wireless licenses in the cellular, broadband PCS, AWS and lower 700 MHz services (ULS File No. 0007584554), as well as a common carrier earth station license (IBFS File No. SES-T/C-20161220-00965). See Applications Filed for the Transfer of Control of AST Telecom, LLC d/b/a Bluesky et al., Public Notice, IB Docket No. 16-420, 30 FCC Rcd 1030 (IB/WCB/WTB 2017).

Following consummation of the proposed transaction, ATH's newly formed, wholly-owned U.S. subsidiary, Amalgamated Bluesky Telecom Holdings Incorporated (ABT Holdings), will own all of AST's member interests. The Petition states that ATH was incorporated as a public company in 1998 under the laws of the Republic of Fiji as a vehicle through which the Fiji government consolidated its investments in the telecommunications sector for the purpose of privatization and liberalization under Fiji's public sector reform program. ATH is listed on the South Pacific Stock Exchange. According to the Petition, the Fiji National Provident Fund (FNPF) holds approximately 72.6% of ATH's equity and voting interests. The FNPF is a superannuation fund that collects compulsory contributions from private sector and public sector employees and employers to provide retirement benefits to Fiji workers. It also provides other financial services to members. FNPF's seven directors are appointed by Fiji's Minister of Finance, with four members designated by the FNPF and three designated by the Fiji government, which holds an approximate 17.3% equity and voting interest in ATH. Pursuant to the South Pacific Stock Exchange Listing rules, at least one-third of ATH's directors must be "independent" directors. The remaining 10.10% of ATH's shares are held by more than 1500 shareholders, none of which holds a five-percent-or-greater equity or voting interest in ATH.

Pursuant to section 1.5001(i) of the rules, AST/ATH request that the Commission specifically approve the foreign equity and voting interests that would be held post-closing in ABT Holdings, the proposed controlling U.S. parent of AST, by: (1) ATH (100% direct equity and voting interest); (2) FNPF (approximately 72.6% indirect equity and voting interest); and (3) Fiji Government (approximately 17.3% indirect equity and voting interest).

Pursuant to section 1.5001(k)(2), AST/ATH request advance approval for indirect investment in ABT Holdings by Unit Trust of Fiji (Trustee Company) Limited (UTOF), up to and including a non-controlling 25% equity and voting interest.

Petitioners explain that UTOF, formed under the laws of Fiji, currently holds approximately 4.64% of ATH's shares but may want to increase its shares of ATH through open market purchases up to and including a non-controlling 25% equity and voting interest. According to AST/ATH, UTOF was established in 1978 to provide an equal opportunity fund for creating wealth for ordinary Fijians and currently represents a wide range of investor individuals, clubs, associations, groups, corporations and institutions. UTOF is managed by Unit Trust of Fiji (Management) Limited, which is licensed by the Reserve Bank of Fiji to conduct and carry out the business of managing UTOF. The trustee of UTOF is Unit Trust of Fiji Limited.

Pursuant to the rules and policies established by the Commission's Foreign Ownership Second Report and Order in IB Docket No. 11-133, FCC 13-50, 28 FCC Rcd 5741 (2013), as amended in GN Docket No. 15-236, FCC 16-128, 31 FCC Rcd 11272 (2016), we find that the public interest would not be served by prohibiting foreign ownership of ABT Holdings, the proposed controlling U.S. parent of AST, in excess of the 25 percent benchmark in section 310(b)(4) of the Act. Specifically, this ruling permits aggregate foreign ownership of ABT Holdings to exceed, directly and/or indirectly, 25 percent of its equity and/or voting interests, subject to the terms and conditions set forth in section 1.5004 of the Commission's rules, 47 CFR § 1.5004, including the requirement to obtain Commission approval before foreign ownership of ABT Holdings exceeds the terms and conditions of this ruling.

In addition, pursuant to section 1.5001(i) of the rules, this ruling specifically approves the following foreign equity and voting interests that would be held post-consummation in AST's controlling U.S. parent, ABT Holdings, by: (1) ATH (100% direct equity and voting interest); (2) FNPF (approximately 72.6% indirect equity and voting interest); and (3) Fiji Government (approximately 17.3% indirect equity and voting interest).

This ruling also specifically permits Unit Trust of Fiji (Trustee Company) Limited (including its manager, Unit Trust of Fiji (Management) Limited, and trustee, Unit Trust of Fiji Limited) to increase its equity and voting interest in ATH and, indirectly, in ABT Holdings, at some future time, up to and including a non-controlling 25% equity and voting interest.

AST has an affirmative duty to monitor its foreign equity and voting interests, calculate these interests consistent with the principles enunciated by the Commission, including the standards and criteria set forth in sections 1.5002 through 1.5003 of the Commission's rules, 47 CFR §§ 1.5002-1.5003, and otherwise ensure continuing compliance with the provisions of section 310(b) of the Act. See 47 CFR § 1.5004, Note to paragraph (a).

This declaratory ruling is without prejudice to the Commission's action on any other related pending application(s).

ITC-214-20171201-00215 E eKaleo, Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority Date of Action: 11/16/2018

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on November 16, 2018, by the U.S. Department of Justice (DOJ), to include its components, the National Security Division and the Federal Bureau of Investigation. Accordingly, we condition grant of this application for international section 214 authority on compliance by eKaleo, Inc. with the commitments and undertakings set forth in the Letter of Agreement from Carlos Antonio Caceres, eKaleo, Inc. to the Assistant Attorney General for National Security, DOJ, dated November 16, 2018 (LOA). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the LOA may be viewed on the FCC's website through the International Bureau Filing System by searching for ITC-214-20171201-00215 and accessing the "Other Filings related to this application" from the Document Viewing Area.

ITC-214-20181015-00188 E Global Oculus Corp.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority Date of Action: 11/16/2018

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

ITC-ASG-20181106-00203 E Great Plains Communications Long Distance LLC

Assignment

Grant of Authority Date of Action: 11/20/2018

Current Licensee: Great Plains Communications Long Distance Inc.

FROM: Great Plains Communications Long Distance Inc.

TO: Great Plains Communications Long Distance LLC

Notification filed for consent to the assignment of international section 214 authorization, ITC-214-20010810-00409, held by Great Plains Communications Long Distance, Inc. (GPC LD), effective November 2, 2018. GPC LD converted its format from a corporation to a limited liability company. Upon closing, GPC LD became Great Plains Communications Long Distance, LLC, a Delaware limited liability company.

Current Licensee: AST Telecom, LLC d/b/a Bluesky

FROM: Amper, S.A.

TO: Amalgamated Telecom Holdings Limited

Application filed for consent to the transfer of control of AST Telecom, LLC d/b/a Bluesky (AST), which holds international section 214 authorizations, ITC-214-19980918-00671 and ITC-214-19981207-00860, from its 91.98% indirect parent, Amper, S.A. (Amper), to Amalgamated Telecom Holdings Limited (ATH, together with AST and Amper, Applicants). AST is organized in Delaware and headquartered in Pago Pago, American Samoa. Pursuant to the terms of a Sale and Purchase Deed dated September 23, 2016, AST's direct 100% parent, eLandia International Inc., will sell all of AST's issued and outstanding member interests to a direct, wholly-owned subsidiary of ATH formed in Delaware for the purpose of this transaction, Amalgamated Bluesky Telecom Holdings Incorporated. Thus, AST will become an indirect, wholly-owned subsidiary of ATH upon consummation of the proposed transaction. See Applications Filed for the Transfer of Control of AST Telecom, LLC d/b/a Bluesky et al., Public Notice, IB Docket No. 16-420, 30 FCC Rcd 1030 (IB/WCB/WTB 2017).

ATH was incorporated as a public company in 1998 under the laws of the Republic of Fiji as a vehicle through which the Fiji government consolidated its investments in the telecommunications sector for the purpose of privatization and liberalization under Fiji's public sector reform program. ATH is listed on the South Pacific Stock Exchange. The Fiji National Provident Fund (FNPF) holds approximately 72.6% of ATH's equity and voting interests. The FNPF is a superannuation fund that collects compulsory contributions from private sector and public sector employees and employers to provide retirement benefits to Fiji workers. FNPF's seven directors are appointed by Fiji's Minister of Finance, with four members designated by the FNPF and three designated by the Fiji government, which holds an approximate 17.3% equity and voting interest in ATH. Pursuant to the South Pacific Stock Exchange Listing rules, at least one-third of ATH's directors must be "independent" directors. The remaining 10.10% of ATH's shares are held by more than 1500 shareholders, none of which holds a five-percent-or-greater equity or voting interest in ATH.

AST is currently classified as a "dominant" carrier under section 63.10 of the rules, 47 CFR § 63.10, in the provision of telecommunications services on the U.S.-Cook Islands and U.S.-Independent Samoa routes. Upon consummation, AST will become affiliated with foreign carriers with market power in Fiji, Vanuatu and Kiribati. AST agrees to be classified as a dominant carrier on the following routes pursuant to section 63.10: U.S.-Cook Islands, U.S.-Fiji, U.S.-Independent Samoa, U.S.-Kiribati, and U.S.-Vanuatu.

In a supplement filed September 11, 2018, ATH and AST made the following voluntary commitments, which they requested the Commission to incorporate into its consent to the Application to transfer control of AST's international section 214 authorizations:

(a) AST will provide U.S.-outbound switched services on the U.S.-Fiji, U.S.-Vanuatu, U.S.-Kiribati, U.S.-Independent Samoa, and U.S.-Cook Islands routes (each an "Affiliated Route") solely via the resale of an unaffiliated U.S. facilities-based carrier's switched services (either from that carrier directly or from another carrier reselling that U.S. carrier's services).

(b) AST will terminate U.S.-inbound switched services on each Affiliated Route using only services or facilities procured from an unaffiliated U.S. or foreign carrier.

(c) For each Affiliated Route, AST will state in its quarterly international traffic and revenue reports filed pursuant to Section 63.10(c)(2) of the rules whether it has provided outbound international switched service during the past quarter (1) on a facilities basis, specifying whether AST carried such traffic: (a) on a direct facilities basis and/or (b) on an indirect facilities basis; and/or (2) via resale of another U.S. carrier's international switched services.

(d) AST will comply with the Commission's existing competitive safeguards set forth in Section 63.10(c) and (e) of the rules with respect to the Affiliated Routes.

(e) AST may request permission from the Commission to serve an Affiliated Route through the resale of an affiliated carrier's switched services or on a direct or indirect facilities basis by making a written submission demonstrating that the route complies with the Commission's settlement rate benchmark for the route. Such a request would include evidence that AST's affiliated foreign carrier has negotiated a settlement rate with an affiliated or unaffiliated U.S. carrier that is below the benchmark, and that the rate is available to all other U.S. carriers. On the U.S.-Independent Samoa route, AST may continue to provide the facilities-based services described in item (i) above so long as it makes such a request within 60 days of Commission action granting consent for the proposed transaction.

(f) ATH acknowledges the commitments outlined above and will cooperate with AST to ensure AST's compliance following the consummation of the proposed transaction.

See Letter from Ivan Fong, Chief Executive Officer, Amalgamated Telecom Holdings Limited, and Douglas Creevey, Chief Executive Officer, AST Telecom d/b/a Bluesky, to Marlene H. Dortch, Secretary, FCC, dated Sept. 11, 2018 (Commitment Letter). We condition grant of the applications on compliance with these commitments.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on November 13, 2018 by the Department of Justice (DOJ), with the concurrence of the U.S. Department of Homeland Security (DHS) and the U.S. Department of Defense (Petition). Accordingly, we condition grant of this application for transfer of control of international section 214 authority on compliance by Amalgamated Telecom Holdings Limited with the commitments and undertakings set forth in the Letter of Assurances from Ivan Fong, Chief Executive Officer and Company Secretary, Amalgamated Telecom Holdings Limited, to Under Secretary for Strategy, Policy, and Plans, DHS, and Assistant Attorney General for National Security, DOJ, dated November 12, 2018 (LOA); and the Letter of Commitments from Ivan Fong, Chief Executive Officer and Company Secretary, Amalgamated Telecom Holdings Limited, to Assistant Attorney General for National Security, DOJ, dated November 12, 2018 (LOC).

A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the underlying authorizations and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of this authorization may also result in monetary sanctions or other enforcement action by the Commission.

A copy of the Commitment Letter, Petition and the LOA and LOC are publicly available and may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20161220-00377 and accessing "Other filings related to this application" from the Document Viewing area.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-T/C-20181002-00179 E Electra Telephone Company

Transfer of Control

Grant of Authority Date of Action: 11/16/2018

Current Licensee: Electra Telephone Company

FROM: Townes Telecommunications, Inc.

TO: Hilliary Acquisition Corp. of Texas, LLC

Application filed for consent to the transfer of control of Electra Telephone Company (Electra), which holds international section 214 authorization ITC-214-20030516-00244, from its 100% direct parent, Townes Telecommunications, Inc. (TTI) to Hilliary Acquisition Corp. of Texas, LLC (Hilliary). Pursuant to an underlying stock purchase agreement, Hilliary, an Oklahoma limited liability company, will purchase 100,000 shares of Electra common stock from TTI and upon closing will wholly own Electra, a Texas corporation. The following four individuals, all U.S. citizens, each hold a 25% equity interest in Hilliary: Edward E. Hilliary, Jr., Douglas J. Hilliary, Dustin J. Hilliary, and Michael J. Hilliary. Dustin J. Hillary is the Managing Partner of Hilliary.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

CORRECTIONS

ITC-214-20140128-00033 Flock FZ-LLC

By letter dated November 19, 2018, the Commission was notified that Riva FZC has changed its name to Flock FZ-LLC.

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

(1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at http://transition.fcc.gov/ib/pd/pf/exclusionlist.html. It also will be attached to each Public Notice that grants international Section 214 authority.

(2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.

(3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.

(4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F. R. § 63.23(d).

(5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.

(6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.

(7) Carriers shall file annual circuit capacity reports required by Section 43.82. See http://www.fcc.gov/encyclopedia/circuit-capacity-report.

(8) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.

(9) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.

(10) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.

(11) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

(12) Carriers shall comply with the Communications Assistance for Law Enforcement Act (CALEA), see 47 C.F.R. §§ 1.20000 et seq.

(13) Every carrier must designate an agent for service in the District of Columbia. See 47 U.S.C. § 413, 47 C.F.R. §§ 1.47(h), 64.1195.

Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 C.F.R. § 63.22(c).

Countries:

None.

Facilities:

Any non-U.S.-licensed space station that has not received Commission approval to operate in the U.S. market pursuant to the procedures adopted in the Commission's DISCO II Order, IB Docket No. 96-111, Report and Order, FCC 97-399, 12 FCC Rcd 24094, 24107-72 paragraphs 30-182 (1997) (DISCO II Order). Information regarding non-U.S.-licensed space stations approved to operate in the U.S. market pursuant to the Commission's DISCO II procedures is maintained at http://transition.fcc.gov/bureaus/ib/sd/se/market_acess.html.

This list is subject to change by the Commission when the public interest requires. The most current version of the list is maintained at http://transition.fcc.gov/ib/pd/pf/exclusionlist.html.

For additional information, contact the International Bureau's Telecommunications and Analysis Division, (202) 418-1480.